

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CLOVER HEALTH INVESTMENTS
CORP., AND CLOVER HEALTH LLC,

Plaintiff,

v.

ZOE FARRELL,

Defendant.

Hon. Kevin McNulty, U.S.D.J.
Hon. Steven C. Mannion, U.S.M.J.

Civil Action No. 18-16802

**DECLARATION OF
ANTHONY P. LA ROCCO**

I, **ANTHONY P. LA ROCCO**, declare under penalty of perjury as follows:

1. I am an attorney admitted to practice law in this Court and am a partner with the law firm of K&L Gates LLP, attorneys for Plaintiffs Clover Health Investments Corp. and Clover Health LLC (collectively, “Clover”). I have personal knowledge of the facts set forth herein and submit this Declaration in support of Clover’s instant motion to seal.

2. On December 4, 2018, Clover filed its Complaint in the instant action under temporary seal (ECF No. 1, hereinafter the “Complaint”).

3. The Complaint discusses Clover’s trade secrets and confidential and proprietary business information, and Clover’s practices and procedures for the maintenance of the confidentiality of this information. Public disclosure of any of these facts could result in a clearly defined and serious injury to Clover under Local Civ. R. 5.3(c)(3). Accordingly, Clover has a legitimate interest in maintaining the confidentiality, and avoiding the public disclosure, of this information. See e.g., Purdue Pharm Prods. V. Actavis Elizabeth, 2015 U.S. Dist LEXIS 111363 (D.N.J. Aug. 24, 2015) (granting motion to seal and holding that “revealing the confidential business information to the public and competitors to the parties to this action would

injure the parties' business interests"); Goldenberg v. Indel, Inc., 2012 WL 15909, at *3 (D.N.J. Jan. 3, 2012) (granting motion to seal "commercially sensitive and proprietary non-public business information"); Bracco Diagnostics, Inc. v. Amersham Health Inc., 2007 WL 2085350, at *9-10 (D.N.J. July 18, 2007) (granting motion to seal where the public availability of documents containing confidential business information would have put a party at a competitive disadvantage).

4. Accordingly, Clover respectfully requests that the Court seal the Complaint. Given the fact that the allegations in the Complaint are intertwined with the information that Clover seeks to protect, Clover believes that there is no less restrictive alternative available.

5. Clover respectfully submits that it has satisfied the criteria for sealing a judicial record set forth in Local Civil Rule 5.3. Accordingly, Clover requests that the Court grant its motion to seal materials.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and belief.

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*Attorneys for Plaintiffs
Clover Health Investments Corp. and
Clover Health LLC*

By: /s/ Anthony P. La Rocco
Anthony P. La Rocco

Dated: December 18, 2018